

## AGENDA

### Administrative rules review committee

The Administrative Rules Review Committee will hold its regular, statutory meeting on Tuesday, August 12, 2008, at 8:30 a.m. in Room 116, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

### ADMINISTRATIVE SERVICES DEPARTMENT[11]

Information technology—board membership, audit of fees, 20.5, 20.8(6) Notice **ARC 6982B**..... 7/30/08  
Information technology—participating agencies, operational standards, 25.1, 25.5(5) Notice **ARC 6983B**..... 7/30/08

### ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]

Sustainable community projects; downtown revitalization fund, 23.2, 23.4, 23.5(7), 23.7(1), 23.10, 23.15, 23.16  
Notice **ARC 6944B** ..... 7/16/08  
Housing fund, amendments to ch 25 Notice **ARC 6943B** ..... 7/16/08  
Regional sports authority districts, 38.1 to 38.8 Notice **ARC 6942B** ..... 7/16/08  
Targeted industries networking fund, 107.1 to 107.8 Notice **ARC 6941B** ..... 7/16/08  
Lean manufacturing institute, supplier capacity and product database, and management talent recruitment  
programs, chs 110 to 112 Notice **ARC 6940B** ..... 7/16/08  
River enhancement community attraction and tourism fund, amendments to chs 211, 212 Notice **ARC 6939B** ..... 7/16/08

### EDUCATIONAL EXAMINERS BOARD[282]

Education Department[281]"umbrella"

Designation of legal counsel by the board, 11.21(3) Notice **ARC 6980B**, also Filed Emergency **ARC 6959B**..... 7/16/08  
Reporting by department of education employees, 11.38 Filed **ARC 6950B** ..... 7/16/08  
Adding endorsements to licenses, 14.106 Notice **ARC 6971B** ..... 7/16/08  
Administrator licenses, 14.114 Notice **ARC 6977B** ..... 7/16/08  
Two-year teacher exchange license, 14.120(1) Notice **ARC 6973B** ..... 7/16/08  
Late fee—renewal of statement of professional recognition (SPR), 14.121(6) Filed **ARC 6956B** ..... 7/16/08  
Original teaching subject area endorsement—addition of preparation in reading, 14.123 Filed **ARC 6957B**..... 7/16/08  
Class G license, 14.132 Filed **ARC 6964B** ..... 7/16/08  
Requirements for an SPR, 14.133 Filed **ARC 6951B** ..... 7/16/08  
English as a second language endorsement, 14.140(4)"c" Filed **ARC 6962B** ..... 7/16/08  
Talented and gifted endorsement, 14.140(13) Filed **ARC 6968B** ..... 7/16/08  
Business—all endorsement, 14.141(3) Filed **ARC 6963B** ..... 7/16/08  
Special education instructional endorsements, 15.1(2) Notice **ARC 6978B**..... 7/16/08  
Removal of educational strategist endorsement, 15.5 Filed **ARC 6958B** ..... 7/16/08  
Renewal of SPR for audiologists, 15.10(3) Filed **ARC 6952B** ..... 7/16/08  
Renewal of SPR for speech-language pathologists, 15.12(3) Filed **ARC 6953B**..... 7/16/08  
Renewal of SPR for school social workers, 15.19(3) Filed **ARC 6954B** ..... 7/16/08  
Renewal requirements for an SPR, 17.14 Filed **ARC 6955B**..... 7/16/08  
Code of professional conduct and ethics, 25.3(6) Filed **ARC 6960B**..... 7/16/08  
Code of rights and responsibilities, 26.3 Filed **ARC 6961B** ..... 7/16/08

### ELDER AFFAIRS DEPARTMENT[321]

Resident advocate committees, ch 9 Filed Emergency After Notice **ARC 7031B** ..... 7/30/08

### ENVIRONMENTAL PROTECTION COMMISSION[567]

Natural Resources Department[561]"umbrella"

Reissued Regional Permit 7—water quality certification, 61.2(2)"h" Notice **ARC 7039B**..... 7/30/08  
Independent redemption center grant program, 107.16 Notice **ARC 7038B** ..... 7/30/08

### HISTORICAL DIVISION[223]

Cultural Affairs Department[221]"umbrella"

Historic tax credits, amendments to ch 48 Notice **ARC 6927B**, also Filed Emergency **ARC 6925B** ..... 7/16/08

### HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION[605]

Public Defense Department[601]"umbrella"

Part C: Iowa disaster recovery plan, 9.4 Filed **ARC 6972B**..... 7/16/08

### HUMAN SERVICES DEPARTMENT[441]

Family investment program (FIP) eligibility, 41.30 Filed **ARC 7012B**..... 7/30/08  
Temporary measures related to disasters, 58.41 to 58.45 Notice **ARC 6995B**, also Filed Emergency **ARC 6994B**..... 7/30/08  
Medicaid eligibility and benefits, amendments to chs 75, 76 Filed **ARC 7011B**..... 7/30/08

Medicaid coverage—behavioral health services, 77.26, 78.29, 79.1(2), 79.3(2)“d” Notice **ARC 6929B** ..... 7/16/08

Medicaid—reimbursement for nursing facilities related to performance, 81.6(16)“g,” 81.36(5) Notice **ARC 7017B**, also Filed Without Notice **ARC 7016B** ..... 7/30/08

HAWK-I program, amendments to ch 86 Notice **ARC 7015B** ..... 7/30/08

HAWK-I program eligibility, 86.1 to 86.3, 86.5(2), 86.10 Filed **ARC 6926B** ..... 7/16/08

Medicaid—addition of all-inclusive care for the elderly (PACE), amendments to ch 88 Filed Emergency After Notice **ARC 7013B** ..... 7/30/08

IowaCare—acquisition of smoking cessation drugs, 92.7(2), 92.8 Filed Emergency After Notice **ARC 7014B** ..... 7/30/08

Child care centers and child development homes—prohibition of smoking, 109.10(11), 110.5(1)“o” Notice **ARC 6928B** ..... 7/16/08

Child care assistance—reimbursement rate increase for providers, 170.4(7)“a” Notice **ARC 6930B** ..... 7/16/08

## **INSPECTIONS AND APPEALS DEPARTMENT[481]**

Residents of facilities—treatment by health care practitioner other than the resident’s physician, 57.15(6), 58.14(8), 63.15(6) Filed **ARC 7010B** ..... 7/30/08

## **IOWA FINANCE AUTHORITY[265]**

Title guaranty division—mortgage relief certificates, 9.20 Filed **ARC 7042B** ..... 7/30/08

Title guaranty division—closing protection letters, 9.22 Filed **ARC 7043B** ..... 7/30/08

Low-income housing tax credits, 12.1, 12.2 Filed **ARC 7040B** ..... 7/30/08

State housing trust fund, 19.1 Filed **ARC 7041B** ..... 7/30/08

## **IOWA PUBLIC EMPLOYEES’ RETIREMENT SYSTEM[495]**

Benefits; service credit and purchases; dividends, amendments to chs 4, 6 to 8, 13 to 15 Notice **ARC 6975B**, also Filed Emergency **ARC 6976B** ..... 7/16/08

## **LABOR SERVICES DIVISION[875]**

Workforce Development Department[871]“umbrella”

OSHA regulations—adoption by reference, 10.20 Filed **ARC 6948B** ..... 7/16/08

Elevator safety board—construction personnel hoists, 71.4, 75.1, 75.2, 75.3(2), 76.2(11), 76.3 Notice **ARC 6946B**, also Filed Emergency **ARC 6947B** ..... 7/16/08

Combustion air source requirements, 91.1(2), 91.13 Filed **ARC 6935B** ..... 7/16/08

Disaster emergency proclamation—asbestos abatement, 150.2, 155.5, 155.6(11) Filed Emergency **ARC 6979B** ..... 7/16/08

## **MANAGEMENT DEPARTMENT[541]**

DAS customer council, ch 12 Notice **ARC 6996B** ..... 7/30/08

## **NATURAL RESOURCE COMMISSION[571]**

Natural Resources Department[561]“umbrella”

Point values assigned to convictions, 15.6(3)“a”(22) Notice **ARC 7037B** ..... 7/30/08

Lake Odessa—addition of two no-wake areas, 40.9(3) Filed **ARC 7034B** ..... 7/30/08

Zoning of Catfish Creek, Dubuque County, 40.57 Filed **ARC 7033B** ..... 7/30/08

Zoning of Lake Cornelia, Wright County, 40.58 Filed **ARC 7032B** ..... 7/30/08

Wildlife refuges, 52.1(2)“a” Filed **ARC 6938B** ..... 7/16/08

Removal of trotlines, 85.1 Notice **ARC 7036B** ..... 7/30/08

Administrative fee for a fishing tournament permit, 88.2 Notice **ARC 7035B** ..... 7/30/08

Game harvest reporting and landowner-tenant registration, 95.1, 95.2(3) Filed **ARC 6937B** ..... 7/16/08

Wild turkey spring hunting, 98.5 Filed **ARC 6936B** ..... 7/16/08

Wild turkey fall hunting by residents, 99.11 Filed **ARC 6934B** ..... 7/16/08

Deer hunting by residents, 106.1, 106.2(3), 106.6(6), 106.7(8), 106.10(2), 106.11, 106.14 Filed **ARC 6933B** ..... 7/16/08

Hunting and trapping of furbearers, 108.7(2), 108.7(3)“b” Filed **ARC 6932B** ..... 7/16/08

## **NURSING BOARD[655]**

Public Health Department[641]“umbrella”

Administration of anesthetic agents—requirements and exceptions, 6.2(6), 6.4 Notice **ARC 7009B** ..... 7/30/08

## **PROFESSIONAL LICENSING AND REGULATION BUREAU[193]**

Commerce Department[181]“umbrella”

Contested cases, denial of issuance or renewal of license for nonpayment of child support or student loan, 7.43 to 7.45, 8.1(1), 8.2(1), 8.3 Notice **ARC 6993B** ..... 7/30/08

## **PROFESSIONAL LICENSURE DIVISION[645]**

Public Health Department[641]“umbrella”

Board of dietetics, rescind chs 80, 84; amend chs 81 to 83 Notice **ARC 7045B** ..... 7/30/08

Board of mortuary science, rescind chs 99, 105; amend chs 100 to 103 Notice **ARC 6997B** ..... 7/30/08

Board of psychology, rescind chs 239, 243; amend chs 240 to 242 Notice **ARC 6931B** ..... 7/16/08

## **PUBLIC HEALTH DEPARTMENT[641]**

Immunizations, 7.1, 7.3, 7.4, 7.6 to 7.8, 7.12	<u>Notice</u>	<b>ARC 6974B</b>	7/16/08
Oral health, ch 50	<u>Filed</u>	<b>ARC 7023B</b>	7/30/08
Dental screening, ch 51	<u>Filed</u>	<b>ARC 7024B</b>	7/30/08
Blood lead testing, ch 67	<u>Filed</u>	<b>ARC 7025B</b>	7/30/08
Prescription drug donation repository program, 109.4(4)"d," 109.7, 109.8	<u>Filed</u>	<b>ARC 7026B</b>	7/30/08
Preparedness advisory committee, ch 114	<u>Filed</u>	<b>ARC 7027B</b>	7/30/08
County medical examiner investigators—qualifications and supervision, 127.7	<u>Filed</u>	<b>ARC 7028B</b>	7/30/08
Dogs for scientific research, ch 128	<u>Filed Without Notice</u>	<b>ARC 7030B</b>	7/30/08
Smokefree air, ch 153	<u>Notice</u>	<b>ARC 6990B</b> , also <u>Filed Emergency</u>	<b>ARC 6989B</b> 7/30/08
Fair information practices and public records, ch 175	<u>Filed</u>	<b>ARC 7029B</b>	7/30/08

## **PUBLIC SAFETY DEPARTMENT[661]**

Inventory of impounded vehicles under emergency conditions, 6.4(2)			
	<u>Notice</u>	<b>ARC 6999B</b> , also <u>Filed Emergency</u>	<b>ARC 6986B</b> 7/30/08
Submission of fingerprints by law enforcement agencies—"working day" defined, 11.2			
	<u>Notice</u>	<b>ARC 7000B</b> , also <u>Filed Emergency</u>	<b>ARC 6987B</b> 7/30/08
Bail enforcement, private investigation, and private security businesses—issuance of replacement licenses, 121.2, 121.24	<u>Notice</u>	<b>ARC 6998B</b> , also <u>Filed Emergency</u>	<b>ARC 6985B</b> 7/30/08
Approved evidentiary breath testing equipment, 157.2	<u>Notice</u>	<b>ARC 7020B</b>	7/30/08
Temporary storage of flammable liquids in disaster emergencies, 221.4(4)			
	<u>Notice</u>	<b>ARC 6949B</b> , also <u>Filed Emergency</u>	<b>ARC 6967B</b> 7/16/08
Relocation of automatic fire extinguishing system contractors—amended certification, 275.5(4)			
	<u>Notice</u>	<b>ARC 7005B</b> , also <u>Filed Emergency</u>	<b>ARC 6984B</b> 7/30/08
Temporary emergency use of manufactured housing, temporary emergency use of factory-built structures—commercial use, 322.11, ch 323	<u>Notice</u>	<b>ARC 7008B</b> , also <u>Filed Emergency</u>	<b>ARC 7007B</b> 7/30/08
Suspension of installation requirements in proclaimed disaster emergencies, 322.12			
	<u>Notice</u>	<b>ARC 6969B</b> , also <u>Filed Emergency</u>	<b>ARC 6970B</b> 7/16/08
Manufactured home retailers, manufacturers, and distributors—relocation resulting from disaster emergency, 372.8(4)"a"	<u>Notice</u>	<b>ARC 7006B</b> , also <u>Filed Emergency</u>	<b>ARC 6988B</b> 7/30/08
Manufactured housing installer—temporary certification during proclaimed disaster emergencies, 374.11			
	<u>Notice</u>	<b>ARC 6965B</b> , also <u>Filed Emergency</u>	<b>ARC 6966B</b> 7/16/08

## **REAL ESTATE COMMISSION[193E]**

Professional Licensing and Regulation Bureau[193]  
Commerce Department[181]"umbrella"

Definition of moral turpitude, 2.1	<u>Notice</u>	<b>ARC 7001B</b>	7/30/08
Time period for completion of required education, 4.1(10), 16.2(3)	<u>Notice</u>	<b>ARC 7004B</b>	7/30/08

## **SECRETARY OF STATE[721]**

Voting centers for certain elections, 21.75	<u>Notice</u>	<b>ARC 7046B</b> , also <u>Filed Emergency</u>	<b>ARC 7047B</b> 7/30/08
Revenue purpose statement ballots, 21.803	<u>Notice</u>	<b>ARC 6991B</b> , also <u>Filed Emergency</u>	<b>ARC 6992B</b> 7/30/08
Voter registration in state agencies, amendments to ch 23	<u>Filed</u>	<b>ARC 6945B</b>	7/16/08

## **SOIL CONSERVATION DIVISION[27]**

Agriculture and Land Stewardship Department[21]"umbrella"

Water protection practices—cost-share rates, 12.81(2), 12.84	<u>Filed Emergency After Notice</u>	<b>ARC 6981B</b>	7/30/08
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## **TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION, IOWA[751]**

Service delivery bureau, 1.5(2)"e"	<u>Filed</u>	<b>ARC 6924B</b>	7/16/08
Authorized spending limit, 5.1(1)"c"	<u>Filed</u>	<b>ARC 6923B</b>	7/16/08

## **TRANSPORTATION DEPARTMENT[761]**

Close-clearance warning signs along railroad tracks, ch 813	<u>Notice</u>	<b>ARC 7003B</b>	7/30/08
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## **VETERANS AFFAIRS, IOWA DEPARTMENT OF[801]**

Veterans trust fund, amendments to ch 14	<u>Notice</u>	<b>ARC 7022B</b> , also <u>Filed Emergency</u>	<b>ARC 7021B</b> 7/30/08
Veterans commemorative property, 15.2, 15.3(1), 15.4(6)	<u>Notice</u>	<b>ARC 7002B</b>	7/30/08
Limited residency Vietnam Conflict veterans bonus, ch 16	<u>Notice</u>	<b>ARC 7019B</b> , also <u>Filed Emergency</u>	<b>ARC 7018B</b> 7/30/08

## **WORKFORCE DEVELOPMENT DEPARTMENT[871]**

Participation in fact-finding interviews, 24.10	<u>Notice</u>	<b>ARC 7044B</b>	7/30/08
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## ADMINISTRATIVE RULES REVIEW COMMITTEE MEMBERS

Regular, statutory meetings are held the second Tuesday of each month at the seat of government as provided in Iowa Code section 17A.8. A special meeting may be called by the Chair at any place in the state and at any time.

**EDITOR'S NOTE: Terms ending April 30, 2011.**

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